

**BATTLE CREEK CITY PLANNING COMMISSION  
MEETING MINUTES  
Wednesday, March 25, 2009**

**1. Call to Order:**

Chairman Troutman called the meeting to order at 4:00 p.m.

**2. Attendance:**

**Members Present:**

Steve Barker	Preston Hicks	Chip Spranger
Mark Behnke(Mayor)	William Morris	John Stetler
Jan Burland(Frantz)	Chris Simmons	Mike Troutman

**Staff Present:** Glenn Perian, Senior Planner, Planning Dept.  
Susan Bedsole, Licensing and Compliance Director  
Leona Parrish, Administrative Assistant, Planning Dept.

**3. Additions or Deletions to the Agenda:** Add under New Business: (B) Susan Bedsole

**4. Approval of Minutes:** Meeting Minutes of December 17, 2008.

**A MOTION WAS MADE BY COMMISSIONER BARKER, SUPPORTED BY COMMISSIONER HICKS TO APPROVE THE MINUTES OF DECEMBER 17, 2008 AS PRESENTED. VOTE ON MOTION: ALL YES, NONE OPPOSED MOTION CARRIED.**

**5. Correspondence:** None

**6. Public Hearing:** None

**7. Old Business:**

**A. AIRPORT OVERLAY – SURROUNDING PROPERTIES (Update):**

Mr. Glenn Perian provided a hand-out of the notes from the W.K. Kellogg Airport (FAR) Part 150 Noise Compatibility Study meeting held on October 30, 2008. He stated this was their second Input Committee Meeting. He noted there is to be a presentation regarding Noise Abatement and Land Use Analysis Alternatives from the consulting group today at 5:00 – 7:00 P.M. at the Holiday Inn, Harper Village.

Commissioner Troutman noted that present today was Commissioner Jan Burland(Frantz) and Commissioner John Stetler; who are committee members of the Airport Study and could possibly provide some additional information.

Commissioner Burland stated the process is on-going and it would be premature to suggest what outcomes or measures might be taken at this time. Said some measures may be considered voluntary, others may be construction alternatives to reduce noise, but at this time are speculative. Stated there will be some mitigation measures possible.

Commissioner Stetler said he is pleased with how the firm is approaching the problem; it is an ad hoc way to come to a conclusion and that the final report will be extremely interesting.

Commissioner Simmons stated he attended the Westlake Prairieview NPC meeting where the issue came up regarding the noise from the higher number streets and a representative from this committee indicated there was a plan or suggestion that the residential portions of some of the higher numbers streets might be rezoned to Light Industrial; he asked if this information came out at this meeting.

Commissioner Burland stated there was only one home that was within the 65 decimal contour, and anything large scale that they are suggesting, she is only proposing would be very unlikely.

Commissioner Stetler noted that the land use surrounding the airport have not been approached by the group as yet. Said the land use and recommended zoning around the airport will be approached at the next meeting and would discuss the results from the study sent to neighbors.

Commissioner Simmons said he would like to attend that meeting as he is the City Commissioner representing those property owners for that area. He would like to be in the loop for any proposed zoning changes, which seem to be premature at this time. Commissioner Burland said yes, it is very premature and that this evenings meeting would provide a good update.

**B. PLANNING COMMISSION – ESTABLISHING GOALS:**

Mr. Glenn Perian stated the survey results included in this meeting packet was just informational and is the final results of a survey sent out to the Planning Commissioners by former Planning Director, Mr. Michael Buckley in June, 2008; where the Commissioners were asked to rank according to the order of importance regarding the Planning Commission Projects and Activities.

Stated the results of the survey showed the item receiving the highest level of priority was the Airport Overlay Zoning project. With a tie for 2nd being: Update of the Comprehensive Plan, and Update of the Zoning Ordinance. Mr. Perian noted that Mrs. Susan Bedsole would be providing information regarding the upcoming changes for the Planning Department under New Business.

**8. New Business:**

**A. “Chapter 1286” - Accessory Buildings & Uses in Residential Districts:**

Mr. Glenn Perian stated the Zoning Board of Appeals met and discussed recommendations for changes in the Accessory Building and Uses in Residential Areas (Ordinance Chapter 1286).

Mr. Perian handed-out an outlined agenda from Mr. John Stetler the board followed with a draft copy of the March 10, 2009 meeting minutes; also a report from him noting the number of variance requests submitted within a six year period (2004-2009) which included a mapping of those petitions providing the detailed information such as zoning, land area, accessory building size approved and the percentage of land area for each parcel.

Mr. Perian stated the ordinance amendment would need to be recommended by the Planning Commission with final approval by the City Commission. He explained the current Accessory Building guidelines and asked the Planning Commission to review and consider the documents presented for any possible future amendments.



Commissioner Troutman asked Mr. Perian to provide a brief definition of an Accessory Building and what the current code was for square footage. Mr. Perian stated an Accessory Building is a city wide ordinance basically an outbuilding and could be a pole building, or a detached garage. Said currently the ordinance states an Accessory Building cannot exceed 1,000 sq. ft. in area; cannot exceed 50% of a rear yard; need to abide by the setbacks and cannot be more than 14 ft. in height. It needs to be used for personal storage of the occupant's belongings.

Commissioner Burland (Frantz) asked if the Zoning Board would be providing them with information regarding their preference toward a more lenient or stricter code.

Mr. Perian stated that information was noted in the zoning board minutes handed-out; each member provided their opinions individually and not a group consensus. He made an interpretation on page 3 of 5; states the ZBA thought that anything over 3 acres a 1,500 sq. ft. building would be appropriate, from 2 acres to 3 acres a 1,000 sq. ft. would be permitted and below 2 acres a 500 sq. ft. would be permitted.

Commissioner Troutman said that basically if you lived in the City you would not be allowed to have a two car detached garage. Mr. Perian stated that is correct as a two car garage 24 x 24 would equal 576 sq. ft.

Commissioner Morris asked regarding the height limit and if this would be restricted for accessory buildings. Mr. Perian stated there is a height limit for accessory buildings of 14 ft. which is measured at the halfway point between the eave and peak of the roof.

Mr. John Stetler noted that according to the current ordinance a person can have more than one accessory building as long as they were 10 feet apart and was supported by the lot. But, noted that their neighbor could not object to a parcel having more than one building. Noted he personally would not want to see numerous buildings on one parcel.

Mayor Behnke asked what are they doing in these accessory building that are allowed to have 220 electrical. Mr. Perian stated many different uses such as personal workshop, hobbies, storage etc. Noted code requirements would have to be met that state they cannot be used for business purposes. Said this request for change is for the physical building and not its use; as that is outlined in other portions of the code. Currently multiple 1,000 sq. ft. buildings are allowed and the suggestion of the Zoning Board would be to allow for just one accessory building; they are asking for this amendment in the code.

Commissioner Barker said it would be helpful to get a copy of the statute and have available for accessory buildings. He feels it is an excellent statute, as the issue regarding tearing down a home and putting a big footprint on a smaller lot is becoming more prevalent and a greater issue regarding maintaining a quality of life and neighborhoods. Said more than one seems excessive and does need to be reviewed.

Mr. Perian stated he would get the commission a copy of the code.

**B. MRS. SUSAN BEDSOLE (PLANNING SUPERVISOR HIRED):**

Mrs. Susan Bedsole provided an update regarding the Planning Department. Stated it had been several months since Mike Buckley, Planning Director, retired from the City and now have hired a Planning Supervisor as his replacement and she will serve as the department's Director.

Stated the new Planning Supervisor is Mr. Bradley J. Misner, AICP, from Santa Monica, California and provided the commission a copy of his resume. He will begin work on April 27, 2009. Ms. Bedsole noted that he previously lived in Battle Creek and still currently owns a home on Riverside Drive in hopes that he would have a chance to return to Battle Creek.

Mrs. Bedsole said her expectation is to review the goals the Planning Commission have and identify what the commission is looking for, so they can begin that work and have discussion about how they want to deal with the review of the Master Plan. Noted there are a lot of issues needing to be dealt with and she is excited with the reorganization. Said they now have the ability to have a Planning department that can focus on planning exclusively, which has been a challenge in the past because of the many responsibilities that Mr. Buckley had.

Commissioner Troutman asked if it would be possible to hold an informal workshop meeting where they can discuss different ideas. Mrs. Bedsole said it could be useful to have work sessions regarding where the City want to be; so everyone is on the same page. Said the new Planning Supervisor would need to be apart of those meetings and feel they could be useful and can be accomplished.

Mayor Behnke commended Mrs. Susan Bedsole on reaching out to find someone outside of our community and is excited about her choice for the new Planning Supervisor. Stated he had heard of this individual in wanting to return to Battle Creek and feel he is a good selection for the people of Battle Creek.

Commissioner Morris wanted to thank Mrs. Bedsole for all her hard work.

Mayor Behnke asked Commissioner Morris to share information he received from a developer and clear-up some concerns and/or rumors that the CEO of hospital and others have heard.

Commissioner Morris stated he owns a piece of property on Capital Ave. S.W. near Columbia Avenue and the developer is looking to acquire Ryan's Steak House up to Taco Bell, excluding Tuffy's and Ernie's Glass. He told the developer he would not be in supportive of a medical facility at that location. He was assured that was not happening and told it was to be a Falpausch Store to possibly develop at that location.

Mrs. Susan Bedsole said it is now public knowledge and provided information regarding the new store to be built at that location and that the developer would be submitting a petition on Friday, asking to rezone two parcels from "O1-Office District" to "C2-General Business District".

Commissioner Morris asked if he should abstain from any vote regarding this development. Mrs. Bedsole stated if he was not the owner of those two parcels that they are requesting to be rezoned, he would not have a conflict of interest.



Mayor Behnke asked if there were any plans for the old Felpausch Store. Mrs. Bedsole stated she had asked that question also, noting it would be the second building made vacant within the city. It is her understanding the Felpausch family is still the owners of that building currently and because of its location they would have a better chance for redevelopment than the store in Urbandale. Said at this time she was not aware of any future plans.

Commissioner Barker asked regarding the new Planning Supervisor and newly approved Master Plan; what the consensus was in getting it updated.

Mr. Glenn Perian said there was no formal discussions regarding the Master Plan update and that it might be a good item for the new Planning Supervisor to take on. Said he believes that Mrs. Bedsole is trying to budget some money to get that project moving.

Commissioner Barker asked for an outline regarding the update of the process. Asked if the demographics would be updated, information from the census tracts, etc.

Mr. Glenn Perian stated that the 2010 Census will be coming up and he is not sure when it will be available. In 1997 the Master Plan was done with a 20 or 25 year outlook or vision for the city and we are just one-half way through the 25 years. Will look at any changes to that plan and review according to those changes that have occurred.

Commissioner Barker said the old plan seems to be on point and asked if we were going to incorporate the principles for the Form Based Codes. Asked if they would be able to incorporate some of those principles at the time of the re-write or does the entire document need updated.

Mr. Perian stated those are two separate documents. Master Plan and the Form Based Codes which would be the zoning. For example: Airport to review and update in the Master Plan and amend accordingly also look ahead at larger residential homes on Capital Ave. N.E. that need the zoning reviewed and updated using the Form Based Codes, feels this could be an area where the vision has changed in the past 10 or 12 years.

Commissioner Barker asked how he could be a better commissioner; said he would be happy to work together and look for opportunities for growth during these hard times. Feels that holding work sessions is a good idea and their focus should be the Master Plan.

Commissioner Troutman said the key is to prepare now and be ready when petitions are received.

Mrs. Susan Bedsole stated she is hopeful that although the Planning Commission make decisions, some of the decisions especially with the Master Plan can impact how dollars are spent for the future and a change in that plan can have impact on other city departments; a change at the Master Plan level for the area will impact how money may be used. Said the Master Plan in her view is the vision where the entire city organization is going to go and that is why it is critically important to review the plan from time to time.

Commissioner Hicks stated the process is good and the Master Plan is supposed to be a foundation for them in making decisions which needs reviewed. Said he is not sure what the

process is, his concern is the Planning Commission make decisions based on the outdated Master Plan.

Mrs. Susan Bedsole stated it is a 20 year plan, according to law is current until year 2017. Said the suggestion is to review it and make adjustments accordingly, that it should be reviewed more often. It is not a requirement; it is a plan or vision for the City.

Commissioner Hicks said Mrs. Bedsole's explanation was helpful as he was under the impression it had to be revised and that it must be a refreshed document.

Mrs. Bedsole said it states Shall or May be reviewed and does have exceptions.

Commissioner Simmons commented that they give it a little bit more weight than a suggestion and they are not obliged to follow the letter of the law. Mrs. Bedsole agreed; she meant they are not absolutely required or you would not have anything that varies from the plan; they do allow exceptions.

**9. Comments by the Public: None**

**10. Comments by the Staff and Commission Members:**

Commissioner Troutman thanked Mr. Glenn Perian, Senior Planner for a job well done. Mrs. Susan Bedsole echoed that and noted that Glenn has done a good job along with Leona for the Planning Dept.

**11. Adjournment:**

The meeting adjourned at 4:47 P.M.

Respectfully Submitted,  
Leona Parrish, Administrative Assistant  
Battle Creek City Planning Commission